### FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA WILLIAMSPORT JUL 1 1 2011 U.S.P. Lewisburg P. U. Box 1000, Lewisburg, Pa. 17837 DEPUTY CLERK (Address) **(2)** (Name of Plaintiff) (Inmate Number) (Address) (Each named party must be numbered, and all names must be printed or typed) CIVIL COMPLAINT (Names of Defendants) (Each named party must be numbered, and all names must be printed or typed) TO BE FILED UNDER: \_\_\_\_ 42 U.S.C. § 1983 - STATE OFFICIALS 28 U.S.C. § 1331 - FEDERAL OFFICIALS PREVIOUS LAWSUITS I. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case A. number including year, as well as the name of the judicial officer to whom it was assigned: filed habeas Corpus. and a civil complaint in Florida, and this civil suite. The one's on habeas

## EXHAUSTION OF ADMINISTRATIVE REMEDIES

		to proceed in federal court, you must fully exhaust any available administrative remedies as to bund on which you request action.		
	A.	Is there a prisoner grievance procedure available at your present institution? **YesNo		
]		Have you fully exhausted your available administrative remedies regarding each of your present claims?No		
(	C.	If your answer to "B" is <u>Yes</u> :		
		1. What steps did you take? plaintat filed bip. 8. to the		
		institution 9, 10, and bipills to central office.		
		2. What was the result? all were exhausted		
		. /		
]	D.	If your answer to "B" is No, explain why not:		
		N/A		
III. DEFENDANTS  (1) Name of first defendant: warden bledsoe				
	Emp	ling address: P.O.Box 1000 Lewisburg Pa 17837		
(	(2) Nan	ne of second defendant: A, W, VOUNA		
	Mail	ling address: P.O. Box 1000 Lewisburg Pa 17837		
(	(3) Nan Emp	ne of third defendant: A.W. Hodson ployed as Associate worden at U.S.P. Lewisburg ling address: P.O.Box 1000 Lewisburg Pa, 17837		
	Mai	(List any additional defendants, their employment, and addresses on extra sheets if necessary)		
IV. ST	<b>FATEM</b>	IENT OF CLAIM		
date	s and pl	as briefly as possible the facts of your case. Describe how each defendant is involved, including aces. Do not give any legal arguments or cite any cases or statutes. Attach no more than three necessary.)		
		on August 30,2009 "I was forced to go in to		
		a cell with a gang member against my will.		
		the gang member an myself told the officials		

Case 4:11-cv-00368-WJN -DB	Document 58	Filed 07/11/11	Page 3 of 21
That it would not	work out	-between	US. they

- 2. Forced and threaten me and put me in the cell.

  on cell rotation of August 30,2009, I was placed

  in handcuffs and inmate Graham #11510-031 began

  assaulting me with multiple punches and kicks to my
- 3. Face and body, S.M.U. Officials stood there and watch for awhole three minutes and did nothing to stop it.

  Once inmate stoped % Raup & whitaker L.T. Heath

  came into the cell slamed me to the grand while my were cuffed behind my back, after they sprade me in the Face with gass. [See Declaration/Statement of Facts]

#### V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

- 1. Violation of Eighth Amendment to U.S. Constitutions
  (1) Excessive use of force
  (2) Denial of medical care
  (3) Racial discrimination.
- 2. Violation of the first amendment to U.S. constitution
  (i) Retaliation for seeking relief from grievance's and law suite.

  "compensatory damager's of \$10,000 (joint) and purtice
  damages \$500,000 as to defendant warder Bledsore
- 3. Acuryoung. A. cui Hodson captain trate. And \$1 50.000
  as to all the other defandants.

  Injunction Relief enjoying defendant From Further retalisation From harassment and corprovate punishment.

Continue: Statment of facts.

4.) Defendant L.T. Heath, acted intentionally and purpose fully place her knee and the back of plaintiffs neck, cutting of his breathing.

breathing. 5.) So whittaker defendant acted in reckless disregard of and towards plaintiff by slamming plaintiff to the Floor while plaintiff was passively and handcoffed behind his back and defendant whittaker punched and kicked plaintiff in his left side of his back.

side of his body.

6.) Defendant Yoraup with callous indifference to the plaintiff rights and punched kicked plaintiff in his right side of his body. plaintiff could not breath and yelled he could not get any air. "The gass was burning plaintiff skin of his face neck and back and defendant to Raup stated we want you to suffer we dont care if you can breath. "Didnot know his name at the time.

T.) Defendant Potter medical examiner witness plaintiff wonds that he sustained and the actual injury and the nature of his damages and refuse to give plaintiff's any medical care. Or any medicin for the pain he was in. Didnot know his name at the time of incident.

8.) L.T. Galletta, committed the prohibited criminal act towards plaintiff by attacking and assaulting plaintiff out of view of the surveillance to V. punched and slamm plaintiff up against the wall, Defendant Galletta carried out lawful activities with unnecessary harshness and abused official power and took unfair wantage of the plaintiff. L.T. Galletta violated my constitutional rights to from corporal punishment. by w (2) placing me in restrants.

Statment Of Facts.

"9.) Defendant I.T. Sasseasmen committed the criminal acts of attacking plaintiff in his sleep by shooting plaintiff in the face with gass bullets causing damage to plaintiff left eye, "stating plaintiff didnot wake up when 90 called him. I.T. Sasseamen Stated if he move slow going down these steps slam his face in to the Floor. The 900 all laughed. Defendant behavior was reckless neglect and thoughtless disregard equivalent to a flagrant or remarkably bad failure or protect. "Didnot know his name at the time.

10.) Defendant Courselor Edenger, was just a % on 6-Block jan of 2010, in sep 2009. After plaintiff filed administrative remedys on defendant Edenger He illustrated deliberate indifference, malicious sadistic adverse actions towards plaintiff by hitting plaintiff out of view of surveillance t. V. by hitting plaintiff in the mouth on G-Block Law Library. Defendant Edenger was acting under the color of law at the time of the incidents alleged in this complaint.

II.) Defendant % Hummer committed the prohibited criminal acts. O retaliatory conduct, @ Gossiping and circulating lies and rumors. So Hummer, act by her are own omission constituted deliber ate indifference towards plaintiff physical well-being by telling other inmates that plaintiff told in court on (15) teen different people classifing plaintiff as a Rot. Defendant Hummer circulated these false rumors around to other in-mate to have plaintiff killed by inmates Defendant Hummer, compelling elements of prejudice advertence or error in good faith that characterize the prohibited

Continue: Statments of facts:

12.) Defendant Towert, challenge to address the inadequacies and injustice, committed by defendant went. And the racism that he has directed towards plaintiff for an extremely long time on 5-Block your Dec of 2009, "I believe Defendant went spit in plaintiff food out of reprisal conduct, "plaintiff held the food that contained the spit and showed it to A.W. young who refused to have it tested. Defendant went caused plaintiff to go on hunger strike, loos sleep, mental street Defendant went, action or omission was more than inadvertence lack of due care, negligence and error of policy governing officials conduct towards prisoners.

13) Defendant Raup and Defendant Zieder came to plaintiff cell (211) on 6-block on the night of Nov. 25.2009. With a inmete that stated to both 600 That he did not want to come in the cell with me if I was not a crip gang member. And I told the officers that I didn't want no gang members in my cell only muslims. They placed this inmate in the cell against both of are will, Threaten us telling us we will be placed in restrainst for Blays if we refused to be cellies Once the inmate came into plaintiff, we both started pushing eachother out of the way to get are handcuffs offs First, they still force us to be cellies even after that on alou 26.2009. Host same inmate jumped on me From behind. Yelling I m a crip for life! Defendant Raup and Defendant Zieder were neglited and breached their duty of care that owed to plaintiff i' was all done under the scope of their employement.

Continue: Statment of facts:

14.) Defendant pyschology Mink. committed staff misconduct and misrepresented the facts of her dutys toward black prisones -s. "plain tiff was in a very mentally streed atmosphere, was very anger, up-set and feeling hopeless, As Defendant pys. Mink made rounds refused to stop at plaintiffs door because plaintiff had filed grievance on Defendant mink for being a racist. On 1-6-11. Defendant mink by her own omission in the scope of her employment illustrated racial discrimination. And abuse her power and authority by giving false impression of actually addressing petitioner's needs or concerns. Defendant mink failed to uphold the ethical rules governing her profession including complying with the applical licensing policys. plaintiff had a immediate emergency that resulted very bad for plaintiff because Defendant mink refused to stop and address his need and concerns, However she did Stop and talk too two different white inmate's before leaving the rang. For over to minutes at a time.

15.) Defendant case manager cotteral were a regular % in jan, 2010 plaintiff was in Z-Block out of Retaliation Defendant cotteral was running rec. "As plaintiff was coming in From rec and going up the steps. Defendant cotteral reckless collous deliberatly walked passed plaintiff as she was walking down the steps out of view of camera, spit in plaintiff face and stated write that up you black nigger! The inhabitant to the deprivation of any rights privileges or protection donot exist for plaintiff in this institution with these criminal officials. (5).

Continue! Statment of facts.

16.) Defendant Trate, Acted intentionally and purposefully to reckless disregard plaintiff's rights. Defendant trate have continue to stignatize post plaintiff and subject posts plaintiff to be treated cruelly and unjustly by his regime of Lit. @ and 80 out of retaliation for plaintiff filing administrative remedy on defendant Trate Defendant Trate had his Litio Harper and Hepner place plaintiff in restrainst because planififf were on hunger strike For "III) days strigh because officials Zieder, Combee, Carpenter Buff, L.T. scampoon were spitting into plaintiff food. Defendant Trate after receiving a list of his enemys From plaintiff had plaintiff removed from his singal cell on DBlock and took plaintiff to 6-Block to a non-muslim cell and the inmate was from D.C. I had just gave Defendant trate the request that I do not in no way get alone with D. Cinmoto upon refusing that Foreseeable Risk of harm. Defendant Trate had plaintiff placed in a cell with a & D. C. inmate on-4-20-10 at 10:50 A.M. And the inmate Scott #09584-007 threw the First punche and the Right Stared. All under the scope of his employment.

17.) Defendant Ladistic. illustrated her racial discrimination and made racial statements towards, plaintiff. And in-efficiency un-professional-un moral cruel and unjustified actions of retaliation because plaintiff filed three administrative remedys an defendant badistic. plaintiff broke his hand on I black by hitting the wall, plaintiff know knew he broke it from the size of it and the discoloration. Requested Defendant Ladistic to come and see it while she were making rounds. Defendant Ladistic in

Continue! "Came to plaintiff cell door plaintiff explained the whole incident to Defendant Ladistic. She stated "I can see that its broken in that you are in pain, "But do your black as think I care? Or that I would do something for you after you filed on me? I asked her to report it to someone eles from medical, That she didn't have to do nothing For me but that, Defendant ladistic "Then stated hold your breath I will be right back and walked off. Defendant Ladistic improper response towards planitiffs medical needs shows a breach of duty by failing to provide medical treatment to plaintiff as a result to his injurys.
committed malpractice by failing to use the knowledge, skills, possessed and employed. 18.) Defendant Mink, on july 3, 10 had plaintiff brought out his cell to the third Floor office, By To Homburger and To Stugard ps psychology mink had To stugard shut the office door and % Hornburg stood right behind plaintiff, All of this were outside the view of the camera, plaintiff was hard cuffed behind his back and seated infront of Defendant mink who pointed her finger in plaintiff face stated, If I have to answer another one of your bip.86 I will have you brought back in here with these two officers and you will be taken down. And once you are on the ground I will kick your eyes out your head do I make myself clear to you? "The whole time she threaten me % Hornburger grabbed the middle part of the handcuffs and started pulling them up away From my body causing plaintiff a whole lot of pain. Defendant mink then hit plaintiff in the face with a open hand, plaintiffs didn't say nothing.

Continue; Statement of facts. 19.) Défendant Bledsoe a warden at Lewisburg committed the prohibited act of breaching a duty or reasonable care to protect plaintiff from assault of other prisoners. After the incident of August 30, 2009 upon Defendant Bledsoe was making his rounds and stop at plaintiffs door, plaintiff handed him a list of all his enemys and a request asking to be place in a cell with only sunni muslims. It stated I donot get along with the Bloods, Crips, D. C. inmates or 6/06. And plaintiff ask to be transferred. Defendant Bledsoe stated you have to get through this program the best you can. "no" transfer, on 9/ou. 26,2009 I was affacked in assaulted again by a gang member From the Crips, contrary to what defendants say. Defendant Bledsoe displayed deliberate indifference an reckless disregard "for plaintiff safety by failing to "act" reasonably in and to plaintiff request to not be celled with non-sunnimuslims, plaintiff Requested the same cour tesy that he provided for the skin head, Aco and A-Bo plaintiff asked Defendant bledsoe why he keep allowing the simily officials to keep placing non-muslims in the cell with him? "He stated he would look into it, "But" never did. on 4-20-2010 captain Trate L.t. Galletta placed me in the cell with a D.C. inmate after I handed the captain along with the S.W. young, A.W. Hudson and defendant Bledsoe all a list of plaintiffs enemys and the fact that he only want to cell up with sunnimuslims, on 10:50 against my will

was forced into a fight with the D.C. inmate they placed me with.

Continue: Statment of facts: plainith in this case gave Defendant Bledsoe, A. W. young A. W. Hudson, Captain Trate, S. I.A. perrin and L.T. Heath all actual knowledge based on my enemys and the fact the word was around in this institution that my life was in danger plaintiff requested not to be celled with any African American's hor) rec with them, and ask for protection from the officials here at the s.m.u. plaintiff was refused and denied. The above defendants failed to act on the information and request & made by plaintiff or pay any attention to his fore seeable risk of harm. 20.) A. w. young defendant in this case, upon many Face to face discussion's about my situation. After plaintiff was assaulted three different times Defendant young didnot live up to his legal obligations owed to plaintiff since he is the one who approves the moves from block to block in who is placed in your cell. After the many assaulty on my life and the prison conditions and practices that is very dangerous to all prisoner's a like, They refuse to identify that their way of handleing things do not work. none of the above defendants try to isolate plaintiff because he was and is a obvious victim. I asked I we young five different times face to face to put me on protected custody he (stated no). plaintiff gave the above defendants advance notice of his enem ys, and on januar 2011 they turn around in displayed their un-willingness to provide plaintiff with a reasonable amount of care and placed him in the cell with another non-muslim From D-C. That's evidence they don't care.

Continue: Statment of facts:

26) Defendant brenot acted with malicious intent and threaten plaintiff with (205) infractions because plaintiff Filed grievance on her back in sep./12 or 13/2010. In light of the circumstances confronting the fact that plaintiff would not talk to defendant brenot because of the racist statment she made to another black man a nexts door to me on I block. "defendant brenot "stated all you block niggars like pulling out your d\_ ke to beat off on me. "I definitely refused to say anything to that individual, her underlying intent and motivation was and is improper.

Defendant brenot, have harassed me, pushed me called me (nutjobs) racial comments, lied and Fabricated infractions on plaintiff and attacked and assaulted plaintiff cutting his left wrist with the teeth of her handcoffs, All her above actions were under the scope of her emplayment. Defendant Grenot seized plaintiff legal mail violating plaintiff clue process rights. taking his property without any infraction writer as to why his property was taken, nor showed any probable cause. defendant Grenot on 4/2/11 lack justification For excess-- siveness force she used not in good Faith a effort to maintain order, plaintiff was walking out the cell Face Firts defendant Grenot poshed plaintiff in the chest so hard he fell of his feet and hit the bed. plaintiff looked up with his hands cuffed behind his back and saw defendant Grenot smiling. Frequently arise of bad issue's between this officer inmyself. I stay way

From this defendant. (10)

Continue: : Statment of facts:

- 22.) % Hamilton used inappropriate an improper use of excessive force by pushing plaintiff in the back making his face hit the wall in the rec or holding cell, Threating plaintiff and harassing plaintiff with numerous cell seachesdistroying plaintiff legal mail out of Retaliation. violating plaintiff rights to due process, of taking all of plaintiffs personal property without a U.D.C. hearing or a D. H.O. Hearing of any kind, "Ind with out a writen infraction." of why plaintiffs personal property was taked.
- 23.) To Ditz committed the prohibited act of punching plaintiff in the face on G-Block and reading plaintiffs legal mail distroying plaintiff bip. 8,9,0,11, that were in envelops on their way out to the regional and central office. un-justified taking plaintiff personal property, assavalting plaintiff out of retaliation all under the scope of his employment.
- 24.) To Veghi discrimination against plaintiff by his own omission in the scope of his employment mistreated plaintiff on G-Block by ripping up his legal papers are plaintiff vioced his argument to Vegh walked in the cell and punched plaintiff in the belly and kicked plaintiff in the sack. plaintiff hands were coffed behind his back the whole time. To Combee to Zieder Lit. Waltenly to tharp and to Hamilton all are a part of the institutional (good old boys) Assault team Racially motivated watch to vegh in

Continue: Statement of facts:

To vegh along with % Ditz 1/0 Hamilton % Tharp all watched and did nothing to stop it. unequal protection racial harass ment by this officer in his group of assault team.

assaulted plaintiff on c-Block in the officials offices outside of view of camera, the other members and from the assault team was still seaching my cell % whittaker stated you don't take my name off your law soit I will bring you back up here and give your more of this and grabbed my neck with his hands and squeezed as hard as he could. I could not breath and my hands were coffed behind my back, case manager tamilton walked in and laughed and didnot say anything.

denied plaintiff his constitutional rights. By refusing him to re-view his central files, and taking plaintiff central file home to let her sister % Grenot and Husband Hamilton read my whole central files without a judy order or the wardens order or my order, case manager Hamilton, expressed her racial hatred towards plaintiff by having the racist assault team seach my cell down two times a day for a whole week. case manager Hamilton spit in plaintiff face when plaintiff left to see D. H.O. plaintiff was walking back to his cell. (12)

Continue! Statment of facts:

27.) Defendant webb is liable for the unconstitutional violations in the events of her fabricated lies and knew or should have known that sprading lies about plaintiff to knew femal officials, under the scope of her employment fabricating plaintiff case around to inmate to stating that plaintiff told on % Females who had sex with inmates telling inmates that they should not say anything around plaintiff because he is a remaind south placing plaintiff life in danger.

as.) Defendant Buff committed the prohibited act in march of 2010 on E-Block % Buff % Stugard spit in to plaintiff Food plaintiff was on hunger Sticke For (T3) teen days plaintiff missed over (37) meals. because they would not allow plaintiff to pick the try's he wanted off the tray cart. They brought plaintiff tray to him by itself. So carpenter stated I not only spit in your food. I also put rat posion in your food to. I filed on him defendant carpenter and % Buff. Liti Harper ripped up the bip.88 that I Filed.

ag.) Liti Scampoon placed plaintiff in restraints along with Liti johnson as tight as they could get them and before they left out the cell I was in punched and kicked me stating this what we do to nispaers who file on are family members in Friends Liti Scampoon then spit in plaintiff face and left.

Continue: Statement of facts;

30.) Defendant Olsheskie mailroom supervisor Violated a clear establish law of which a reasonable person would have known. It is no defense that Olsheskie did not have actual knowledge of his staff taking out important documents of Plaintiff incoming legal mail and refusing to answer plaintiff's request of how many legal letter came in for the whole month of may and jun of this year? for me.?

on Sep. 2010 I mailed you request after request and you refused to answer, you are not immune if their conduct was clearly unlawful.

31.) Defendant Nevel refused to send plaintiff his b.p. 80 and 100, to plaintiff and held plaintiff admissistrative remedy s in her office and then mail plaintiff a rejections notice stating plaintiff filed out of time, which is not the case, Defendant Nivel deprived plaintiff his right to access the admissistrative remedy act to be able to file effectively.

Defendant Vivel inappropriate conduct shows her negligence towards plaintiff Continue! Statement of facts:

32.) Defendant Francis Fasciana. Refused to provide plaintiff with medic care in-which is a medical malpractice

Defendant fasciana intention was malicious adverse action

to not upholed policy or the standard of measuring the
adequacy of prison officials. Plaintiff needed toe nail
removed From the pain it cause him daily. Defendant
told plaintiff no medic will help you here because
you filed on us.

33.) Defendant Berkoski, Falsified plaintiff document and change plaintiff instance offenese around From what he is incarcerated for, Defendant Berkoski Showed racisal actions towards plaintiff by telling skinhead he stabbed in beat up skinheads when plaintiff was on different compounds, under the scope of his employment.

COMPANIES STORES

34.) Defendant Edenger ir. committed the prohibited act of spreading lies about plaintiff to inmates and the female staff and making racist comments and statements on 3/21/11 or around that date % Edenger ir, took plaintiff to the shower's by him self I plaintiff did not have a cellie at that time. To Edenger is, waited until I was stepping into the shower to push me in the back causing my face to hit the back of the shower, when I turn around to tell him off he spit in my Face locked the shower door and didnot remove the handcoffs from me, plaintiff stayed handcoffed with hands behind

his back for a Whole hour. The next shift let me out.

Continue: Statement à facts:

35.) Defendant unit manager Admir. On jan 19,11 defend - ant moved me off of B-Block to C-Block and by His own omission placed me in the cell with a non-moslim and a inmate from D.C. After I already gave defend ant a Notice of complaint of all my enemys and stated I donot like or get along with Dicinimates, by His intent to be malicious and sadistic towards plaintiff for filing grievance on him to regional direct, All the offecers and counselor stated before I was placed in the cell with this inmate stated it would not work. "I ask them counselor Edenger, counselor Rank % Harley case mana ger Hamilton is it their intention to place me in a cell against my will with a non-muslim? They stated this move was made by unit manager Admir and we cannot change it he is are boss. After being in the cell one night the very next morning the D.C. in mate jumped plaintiff From behind while the officials stood there in did nothing all the by standers watched and said nothing Aiwi young perrin, Heath, Hamilton, warden Bledsoe, Hudson did nothing to stop it. "A.w. young stated once I was removed from the cell stated those are the (breacks), and smiled.

36.) Defendant Shade "on jan/17/or around that date took plaintiff and his cellie to the 6 office because my cellie had a complaint. "As they were taken me and my cellie back to the cell % shade torn around and punched plaintiff in the belly as hard as he could plaintiff bend over, % shade then slammed plaintiff to the ground,

Continue! State ment of facts! Conclusion: plaintiff would like % moffat removed from plaintiff defendant list and from plaintiff case.
any hardship from plaintiff Amending his complaint plaintiff thats this Honorable Court and Honorable judg muir, for allowing the corrections to be made the date of August 30,2009, is the correct clate not August 29,2010, and the date of You 26,2009 another
Assault after plaintiff gave warden Bledsoe actual knowled his forseeable Risk of harm.  Plaintiff state's that the above information is true and corrected to the best of his understanding.  Respectfully submitted
Respectfully Submitted  Worman 91. Shelten  #45969-066/7/7/11  U.S. P. Lewisburg  P.O. Box 1000  Lewisburg pa 17837

I declare under penalty of perjury that the foregoing is true and correct.

Signed this Tues (4) day of \_\_\_\_\_\_\_, 20\_1[.

| Agenture of Plaintiff) , 20\_1[.

# Table of Contents

O Two Admendment Complaints

Declaration / Statement of Facts

3) Brief in support of plaintiffs thrended complaint. (B) Exhibits of all the infraction plaintiff filed on defendants

> Respectfully submitted Glorman 9/1 Shelton #45969006 U.S. P. Lewisburg

P.O. Box 1000 Lewisburg Pa 17837.

## Certificate of Service

I norman n. Shelton, State under penalty of pegiury that plaintiff mailed the above motion to the following address.

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Office of the Clerk
United States District Coat
middle District of penasylvania
U.S. courthouse suite 218
240 west third St.
ps williamsport, pa, 17701-6460.